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# Old leak may sink Burt nomination

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STAT

A white-hot, knock-down-drag-out, behind-the-scenes battle is rapidly coming to a head over the nomination of former New York Times correspondent Richard Burt to be assistant secretary of state for European affairs. The issue: should an ex-reporter who wrote a story containing classified information damaging to the national security be named to such a high government post?

The critics of Burt include:

- Intelligence Committee Chairman Sen. Barry Goldwater, R-Ariz., who on July 21 wrote a top secret code word letter to Secretary of State George Shultz asking that Burt's nomination be withdrawn. Inexplicably, Goldwater's request was neither acknowledged nor answered. And Burt's nomination was sent forward to the Foreign Relations Committee.

- Sens. Jesse Helms, R-N.C., Don Nickles, R-Okla., John East, R-N.C., Orrin Hatch R-Utah, and James McClure R-Idaho, all of whom wrote a letter about Burt on September 15 to Foreign Relations Committee Chairman Sen. Charles Percy R-Ill. In this letter the senators call Percy's attention to two things: (1) "the most serious questions" raised by a three-year old Burt article in the Times and (2) "a record of indiscretions committed by Mr. Burt," a record supposedly compiled by the State Department's Security Bureau. Burt denies any such indiscretions.

- And finally, although its recommendation was ignored by Secretary Shultz, the White House Presidential Personnel Office also opposed Burt's nomination.

Among Burt's defenders are: U.S. Deputy Permanent Representative to the U.N. Ken Adelman; former Kissinger protege Helmut Sonnenfeldt; and Deputy Assistant Secretary for European Affairs Mark Palmer. In recent weeks, all three have phoned various Senate staffers to lobby for Burt's nomination.

In separate interviews, here's what I've been told. Adelman says the case against Burt rests on "lousy grounds." Sonnenfeldt thinks Burt is getting a "bum rap." And Palmer believes the issues being raised against Burt are "outrageous." Burt refuses to talk on-the-record about his situation.

So, what is the beef about Burt? Well, the central controversy revolves around an article he wrote for the Times on June 29, 1979. In this piece, quoting only "officials," Burt reported in detail how the Carter administration — concerned that Turkey might not allow U-2 reconnaissance planes over its territory — was preparing an alternative plan for verifying the new strategic arms treaty with Moscow. This plan, it was said, called for several improvements to existing methods for monitoring Soviet missile tests, including the upgrading of an electronic listening post in Norway and the use of a satellite that was programmed to collect other information.

Now, there's no doubt that the information in Burt's story was classified. When asked this question directly in his confirmation hearing on Sept. 15 before the Foreign Relations Committee, Burt replied:

"Well, I will be quite honest. I assumed that it probably was (classified material)... I presumed it was sensitive information." In fact, Burt said that following the publication of his article he was made aware "by people" that his story had created "concern" within the intelligence community. Noting that he was "somewhat alarmed" by this, Burt says he "immediately sought appointments with (at the time CIA Director) Stansfield Turner about this problem."

"A source I consider reliable, says that Burt's story compromised one of this country's "most secret and fragile" intelligence gathering systems. It did this in three ways, according to another equally reliable source: (1) It named the satellite; (2) It named its original mission; and (3) It revealed that this satellite could be reprogrammed.

Tomorrow the Senate Intelligence Committee will turn over to the Foreign Relations Committee a damage assessment report which will evaluate the damage done by Burt's three-year-old article. My sources say that while this report will be understated, it will be "devastating" to the contention by Burt and his backers that his Times story did no real harm to U.S. national security. Even Ken Adelman, one of Burt's defenders, tells me he has "no doubt" that the information Burt published "damaged the national interest."

What's astounding about this whole affair is the nonchalance on the part of Burt's backers regarding the very serious issue of his having disclosed classified information. Adelman argues that Burt was just "doing his job" and "that's what happens in Washington — people are given information and publish it." Sonnenfeldt says he doesn't see how a defense or national security reporter "who is given stuff" can avoid publishing it. He observes:

"It would be a shame if Rick was singled out. If journalists once get pilloried for having used stuff given to them by people with access to classified or sensitive information, it's going to go a long way — maybe even to some of the people attacking this particular journalist."

Mark Palmer, who says he doesn't want to go into who he has called in Burt's behalf, says only that the charges against Burt are "outrageous." Both Adelman and Sonnenfeldt readily admitted that they had not investigated thoroughly just how damaging Burt's article in the Times was.

At Burt's confirmation hearing before the Foreign Relations Committee, Sen. Joe Biden, D-Del., — who is also a member of the Intelligence Committee — treated the whole subject as a joke. He got a laugh when he said that he had heard it rumored that on occasion senators have leaked sensitive information for political purposes."

"Ha-ha."

Just exactly how the flap over Richard Burt's nomination will turn out remains to be seen. But, the relevant question has been raised by Sen. Claiborne Pell, D-R.I., Who asks: is Burt's article in the Times material to the consideration of his appointment? The answer must be: it most certainly is and Burt's critics are absolutely correct in raising this issue.